

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6114

BILL NUMBER: SB 133

NOTE PREPARED: Mar 4, 2004

BILL AMENDED: Feb 12, 2004

SUBJECT: Psychiatric Advance Directives.

FIRST AUTHOR: Sen. Lawson C

FIRST SPONSOR: Rep. Brown C

BILL STATUS: Enrolled

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: No Fiscal Impact

Summary of Legislation: This bill allows certain individuals to execute a psychiatric advance directive. The bill sets forth requirements for a psychiatric advance directive. It provides immunity for a person who violates a psychiatric advance directive for certain reasons. It specifies that a physician is not precluded from treating the patient in a manner that is in the best interest of the patient or another individual. The bill provides that a health care representative may act in accordance with a psychiatric advance directive. (The introduced version of this bill was prepared by the Commission on Mental Health.)

Effective Date: July 1, 2004.

Explanation of State Expenditures: A psychiatric advance directive (PAD) expresses an individual's preference and consent to the administration of specified mental health treatment measures during periods of incapacity. The PAD must be executed at a time when the individual has capacity to make decisions regarding treatment.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Family and Social Services Administration.

Local Agencies Affected:

Information Sources:

Fiscal Analyst: Kathy Norris, 317-234-1360.